

4B-104. Order of informal probate of will and appointment of personal representative (will).

STATE OF NEW MEXICO
IN THE PROBATE COURT
_____ COUNTY

No. _____

IN THE MATTER OF THE ESTATE OF
_____, DECEASED.

**ORDER OF INFORMAL PROBATE OF WILL
AND
APPOINTMENT OF PERSONAL REPRESENTATIVE
(WILL)¹**

This matter comes before the court on the application for informal probate of the will of the decedent and for informal appointment as personal representative of the estate. The court having considered the application, FINDS THAT:

1. The Application for Informal Probate of Will and for Informal Appointment of Personal Representative is complete;
2. The applicant has made oath or affirmation that the statements contained in the application are true to the best of the applicant's knowledge and belief;
3. On the basis of the statements in the application, this court has jurisdiction;
4. On the basis of the statements in the application, this court has venue;
5. An original, duly executed and apparently unrevoked will of the decedent is in the possession of this court;
6. On the basis of the statements in the application, the applicant gave notice of the

filing of the application to each person demanding notice, if any;

7. It appears from the application that this proceeding was commenced within the limitations prescribed by the laws of the State of New Mexico;
8. The applicant is an interested person as defined by law, and is not disqualified to serve as personal representative of the estate of the decedent;
9. From the statements in the application and from the contents of the will, the applicant has priority entitling applicant to be appointed as personal representative of the estate of the decedent;
10. According to the application, no other personal representative has been appointed in New Mexico or in any other state.

THEREFORE, THIS COURT ORDERS that:

- A. The application is granted;
- B. The will of the decedent is informally probated;
- C. The applicant _____ (*name of applicant*) is informally appointed as the personal representative of the estate of the decedent, without bond, in an unsupervised administration;
- D. Letters Testamentary shall be issued to applicant upon applicant's acceptance of the office of personal representative.

Probate Judge

Submitted by:

Signature of applicant

Printed name

Street address

City, state and zip code

Telephone number

USE NOTE

1. *See* Section 45-3-308 NMSA 1978 for proof and findings required prior to appointment of personal representative and Section 45-3-307 NMSA 1978 for informal appointment of personal representative.

[Approved, effective September 15, 2000; as amended by Supreme Court Order No. 07-8300-05, effective March 1, 2007.]